

Remarks

On pages 2-3 of the Office Action, the Examiner requires restriction from the following groups:

Group I, claim(s) 1-11 (in part), said to be drawn to R2 = benzothiazine (citing formula I-4 at page 14)

Group II, claim(s) 1-11 (in part), said to be drawn to R2 = benzooxazine (citing formula I-2 at page 16)

Group III, claim(s) 1-11 (in part), said to be drawn to R2 = pyrido[3,2-b]thiazine (citing formula V-4 at page 18)

Group IV, claim(s) 1-11 (in part), said to be drawn to R2 = pyrido[3,2-b]oxazine (citing Example 3 at page 38)

Group V, claim(s) 1-11 (in part), said to be drawn to R2 = others

Further, if Group V is elected, an election of a single species is required.

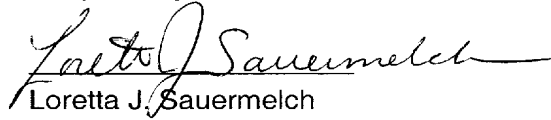
The Office Action states that the Groups I-V do not relate to a single general inventive concept under PCT Rule 13.1 because they lack the same or corresponding special technical features under PCT Rule 13.2. More particularly, the Office Action states that the special technical feature of Group I is a benzothiazine ring (a benzo ring fused to 1,4-thiazine ring); of Group II is a benzooxazine ring (a benzo ring fused to 1,4-oxazine ring); of Group III is a pyrido[3,2-b]thiazine ring (pyrido ring fused to 1,4-thiazine ring); of Group IV is a pyrido[3,2-b]oxazine ring (pyrido ring fused to 1,4-oxazine ring); of Group V is others (e.g., benzodioxine ring ...) and that these special technical features differ.

Applicants elect Group III for initial examination on the merits.

Applicants have amended Claim 1 in accordance with the election. Claim 12 is being added. Support for this amendment can be found in the claims as originally filed (particularly claims 1 and 7-9), and throughout the specification (see, for example, page 6, lines 4-8). No new matter is being added.

Applicants reserve the right to pursue the non-elected and/or canceled subject matter in a divisional application.

Respectfully submitted,

A handwritten signature in black ink, reading "Loretta J. Sauermelch". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

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